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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

MCCLOUGHLIN, MICHAEL I

ART UNIT

PAPER NUMBER

2662

7

DATE MAILED: 03/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/678,340

Applicant(s)

SVANBRO ET AL.

Examiner

Michael I McLoughlin

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-104 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1, 10, 27, 36, 53, 62, 79 and 88 is/are rejected.
- 7) ☒ Claim(s) 2-9, 11-26, 28-35, 37-52, 54-61, 63-78, 80-87 and 89-104 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>1, 4, 5, and 6</u> . | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement filed on 10/3/2000 fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. It has been placed in the application file, but the information referred to therein where a legible copy was not provided has not been considered.
2. The information disclosure statement filed on 1/2/2003 fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each foreign patent. It has been placed in the application file, but the information referred to therein where a legible copy was not provided has not been considered.

Drawings

1. The drawings are objected to because of the following:
 - a) In figure 1 the telecommunications network 10 is not shown, see line 26 of page 10 in the specification. Examiner interprets the entire drawing as 10, and the missing number 10 and an arrow are probably a typographical error.
 - b) In figure 1A the protocol entity "20A₁" should be -20A-, see lines 25, 28, and 29 of page 22 of the specification. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.
 - c) In figure 3 (UTRAN) 3-26 should be changed to -3-24-, see lines 15 and 16 on page 14. Also. 3-26 is used for the RNC in figure 4.

Specification

2. The disclosure is objected to because of the following informalities:
- a) The parenthetical phrases in lines 14-15 (need a definition....), and line 18 (something like this) appear to be comments during the drafting of the specification and probably should be deleted.
 - b) In line 19 of page 13 it states, "key 23 is a one of" that should probably be -key 23 is one of-.
 - c) In Table 2 on page 18 in the PDU Type column the a 000 bit pattern in the BIT column is disclosed as "(mode 1)" that contradicts the disclosure in line 21 that discloses, "a 010 bit pattern in the second field 23B can indicate that the first mode of the invention is applicable". It is believed that this is a typographical error and "(mode 1)" associated with the 000 bit pattern should be -(mode 2)-. Also, Examiner would suggest that -(mode 1)- be inserted after "ROHC only" in the PDU Type column in the row associated with the 010 bit pattern.

Appropriate correction is required.

Claim Objections

3. Claims 18, 19, 37, 44, 45, 50, 51, 52, 70, 71, 96, and 97 are objected to because of the following informalities:
- a) Claims 18, 19, 44, 45, 70, 71, 96, and 97 recites the limitation "set of values" in line 1 of each claim. Examiner believes this is a typographical error and should be -subset of values-.

- b) Claim 37 depends on claim 36, however the “the first field of the header compression key” is not found in claim 36 rather it is found in claim 27. Perhaps this is a typographical error and “claim 36” should be -claim 27-.
- c) Claims 50, 51, and 52 depend on claim 49, however the “packet” of claim 50 and the “telecommunications network” of claims 51 and 52 are not found in claim 49, rather these elements are found in claim 1. Perhaps this is a typographical error and “claim 49” should be -claim 1- in these claims.
- d) Claim 96 depends on claim 94, however the “second set of values” is not found in claim 94, and it appears that this is referring to the “second subset of values” found in claim 91. Perhaps this is a typographical error and “claim 94” should be -claim 91-.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Applicant is advised that should claims 5, 31, 57, and 83 be found allowable, claims 10, 36, 62, and 88 will be objected to under 37 CFR 1.75 as being a substantial duplicate thereof. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1, 27, 53, and 79 are rejected under 35 U.S.C. 102(e) as being anticipated by Suumaki et al. (U.S. 6,590,905), hereinafter referred to as Suumaki.

Regarding claims 1, 27, 53, and 79 Suumaki discloses a telecommunication network and operation of the network that has a first entity which communicates with a second entity (telecommunications network as shown in figure 1A where the UE and all network nodes include a protocol entity, see lines 38-41 in column 2 for communication between a first entity and a second entity between any network component) by sending a packet having a compressed header (sending packets as shown in figures 6 and 7 having a compressed header, and see header compression can be started in line 33 in column 4), characterized in that the first entity also sends to the second entity a header compression key associated with the packet (the compression key shown in octet 1 of figures 6 and 7), the header compression key having a first field which is utilized for distinguishing between different flows of compressed packets (the PID field as shown in figures 6 and 7).

Allowable Subject Matter

8. Claims 2-9, 11-26, 28-35, 37-52, 54-61, 63-78, 80-87, and 89-104 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

9. The following is a statement of reasons for the indication of allowable subject matter:

The closest prior art found to date is Suumaki that discloses a telecommunication network

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communicating packets between entities with header compression, a compression key, and a first field distinguishing packed flows as defined in independent claims 2, 27, 53, and 79. However, Suumaki fails to teach or fairly suggest organizing the first field in two subsets as defined in dependent claims 2, 28, 54, and 80 to allow separately distinguishing header compression identifiers and flows of compressed packets to support the use of either PDCP and/or ROHC. Other prior art on record teach organizing a field in subsets, but fail to teach or fairly suggest that it would be obvious to use to use these teachings for the header compression as claimed on the present invention.

Conclusion

1. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
 - 1) Forsell et al. (U.S. 6,665,280), Method and apparatus providing multiple temporary block flow (TBF) mapping to upper layer when operating in GSM/EDGE radio access network (GERAN) A/GB mode.
 - 2) Koodii (U.S. 6,608,841), System and method for achieving robust IP/UDP/RTP header compression in the presence of unreliable networks.
 - 3) Kweon et al. (U.S. 6,111,866), Method of servicing asynchronous communication data calling and incoming call signalling in code division multiple access mobile communication network.
 - 4) Pecen (U.S. 6,487,184), Method and apparatus for supporting radio acknowledgement information for unidirectional user data channel.

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- 5) Birdwell et al. (U.S. 6,032,197), Data packet header compression for unidirectional transmission.
- 6) Seki et al. (U.S. 6,061,366), Transmitting device, receiving device, packet transmission system and packet signal transmission method.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael I McLoughlin whose telephone number is 703-308-7911. The examiner can normally be reached on weekdays 7AM - 3:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou can be reached on 703-305-4744. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MSM

March 1, 2004



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